## 2011 DRAFTING REQUEST

## **Senate Substitute Amendment (SSA-SB297)**

FE Sent For:

Receive	d: <b>03/09/2012</b>		Received By: tdodge								
Wanted: Today For: Pam Galloway (608) 266-2502					Companion to LRB: s0405  By/Representing: Jen						
									May Contact:		
Subject: <b>Health - medical assist</b>			istance		Addl. Drafters:						
					Extra Copies:						
Submit	via email: YES										
Request	er's email:	Sen.Gallow	v								
Carbon	Carbon copy (CC:) to: tamara.dodge@legis.wisconsin.gov										
Pre Top	oic:										
No spec	ific pre topic gi	ven									
Topic:											
Require	refund if federa	al government d	loesn't pay it	ts share							
Instruc	tions:										
See atta	ched.										
Draftin	g History:										
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required				
/?	tdodge 03/09/2012	kfollett 03/09/2012									
/1			jmurphy 03/09/201	12	sbasford 03/09/2012	sbasford 03/09/2012					

<END>

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Received: 03/09/2012		Received By: tdodge						
Received. 03/03/2012		Received by, tubuge						
Wanted: Today		Companion to LRB: s0405  By/Representing: Jen						
For: Pam Galloway (608) 2								
May Contact:	311		Drafter: tdodge					
Subject: Health - med		Addl. Drafters:						
				Extra Copies:				
Submit via email: YES								
Requester's email: Sen.Galloway@legis.wisconsin.gov								
Carbon copy (CC:) to: tamara.dodge@legis.wisconsin.gov								
Pre Topic:								
No specific pre topic given								
Topic:								
Require refund if federal gov	vernment doesn'	t pay its	share					
Instructions:								
See attached.								
Drafting History:								
Vers. <u>Drafted</u> Rev	viewed Typ	ped	Proofed	Submitted	<u>Jacketed</u>	Required		
/? tdodge /	11KT 1	m 3/9	<u>SELF</u> 3/9					

<**END>** 



# State of Misconsin 2011 - 2012 LEGISLATURE

In 39/12 (TODA)

LRBs (405/2)
TJD:kjf&jld:rs

SENATE

ASSEMBLY SUBSTITUTE AMENDMENT,

TO 2011 ASSEMBLY BILL 408

SENATE

297

Companion no Changes

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Riger

1 AN ACT to create 146.98 (6) of the statutes; relating to: refunds under

ambulatory surgical center assessment.

#### Analysis by the Legislative Reference Bureau

Under current law, the Department of Revenue (DOR) may impose an assessment on ambulatory surgical centers. The Department of Health Services (DHS) allocates any assessment among the ambulatory surgical centers in proportion to their gross patient revenue. The DOR, if it imposes an assessment, must transfer 99.5 percent of the moneys collected to the Medical Assistance (MA) trust fund, which pays some of the costs for the MA program.

Under this substitute amendment, if the federal government does not pay the federal share under the MA program for any payment made with ambulatory surgical center assessment revenue, DHS is required to refund to ambulatory surgical centers the amount of assessment revenue for which the federal government does not pay its share. In addition, the substitute amendment requires DHS to recoup any payments that are made with ambulatory surgical center assessment revenue and for which the federal government does not pay its share under the MA program.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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**SECTION 1.** 146.98 (6) of the statutes is created to read:

146.98 **(6)** (a) If the federal government does not provide federal financial participation under the federal Medicaid program for amounts collected under this section that are transferred under sub. (4) and used to make payments from the Medical Assistance trust fund, the department shall, from the fund from which the payment or expenditure was made, refund ambulatory surgical centers the amount for which the federal government does not provide federal financial participation.

- (b) If the department makes a refund under par. (a) as result of failure to obtain federal financial participation under the federal Medicaid program for a payment from the Medical Assistance trust fund, the department shall recoup the part of the payment for which the federal government does not provide federal financial participation.
- (c) Moneys recouped under par. (b) for payments made from the Medical Assistance trust fund shall be deposited in the Medical Assistance trust fund.

(END)